



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

March 4, 2024

BY ECF

The Honorable John G. Koeltl
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl St.
New York, NY 10007

Application granted.

SO ORDERED.

Dated: New York, New York
March 5, 2024

/s/ John G. Koeltl
John G. Koeltl
United States District Judge

Re: *Ali Majed Soudi Alfar v. Quarantillo, et al.*, 22 Civ. 10260 (JGK)

Dear Judge Koeltl:

This Office represents defendants (the “government”) in the above-referenced action brought pursuant to 8 U.S.C. § 1421(c), in which plaintiff challenges the denial of his Application for Naturalization (Form N-400) after he appeared for an interview related to this application. I write respectfully on behalf of the government to provide a status update and, for the reasons that follow, request that the Court permit the parties to file a letter in one week (*i.e.*, by March 11) with a proposed schedule for resolution of this matter. I reached out to plaintiff’s counsel regarding the proposed schedule, but I did not receive a response in time for the status update due today. *See* Dkt. No. 28.

As the parties previously informed the Court, plaintiff initially filed this action on December 2, 2022. Following the correction of certain filing deficiencies, the government was served in August 2023. The government filed its response to the complaint on November 13, 2023, in the form of an answer. Dkt. No. 20. Plaintiff filed a reply, responding to the numbered paragraphs in the government’s answer, on December 15, 2023. Dkt. No. 24. On December 18, 2023, the Court directed plaintiff “to provide the Court with paper courtesy copies of all papers filed in connection with the fully briefed petition for review of a denial of an application for naturalization.” Dkt. No. 25.

The Court held this matter in abeyance for 60 days while the parties attempted to resolve this matter consensually. Unfortunately, despite the parties’ considerable efforts and good-faith negotiations, this afternoon plaintiff’s counsel informed the government that its proposal was not accepted by his client. Accordingly, this matter will require motion practice and judicial resolution, including possibly the preparation and submission of an administrative record. Until this afternoon the parties focused their efforts on potential settlement instead of litigation, and thus the parties have not filed any motions or submitted memoranda of law; the government therefore respectfully requests that the Court not proceed to adjudicate this dispute at this time.

Honorable John G. Koeltl

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In the government's view, this matter can be resolved on a Rule 12(c) motion for judgment on the pleadings, or in the alternative, a motion for summary judgment. Undersigned counsel proposed a schedule to plaintiff's counsel for the submission of pre-motion conference letters pursuant to Part II.B of the Court's Individual Rules, but as of the time of filing, I have not been able to discuss with plaintiff's counsel. Accordingly, I respectfully request that the Court permit the parties to submit a letter by March 11 with a proposed schedule for resolution of this matter.

I thank the Court for its consideration of this request.

Respectfully submitted,

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cc: (by ECF)
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